



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

AAS:ICR  
F. #2015R01787

*271 Cadman Plaza East  
Brooklyn, New York 11201*

November 3, 2017

By ECF

The Honorable Dora L. Irizarry  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Dan Zhong and Landong Wang  
Criminal Docket No. 16-614 (DLI)

Dear Chief Judge Irizarry:

Pursuant to the Court's October 23, 2017 Order granting in part and denying in part defendant Dan Zhong's motion for a bill of particulars ("Order"), the government identifies below "the false statements alleged to have been made in the visa applications" (Order, Dkt. No. 77 at 4) in connection with Count Five of the indictment, which charges Dan Zhong and Landong Wang with conspiracy to commit visa fraud, in violation of 18 U.S.C. § 371.

In furtherance of the conspiracy to commit visa fraud charged in Count Five of the indictment and to effect its objects, in or about and between January 2010 and November 2016, both dates being approximate and inclusive, one or more documents prescribed by statute or regulation for entry into, and as evidence of authorized stay and employment in the United States were procured by means of the false and fraudulent statements identified below:

1. A letter dated January 26, 2010, was provided to the United States Department of State in support of multiple visa applications which contained the following false and fraudulent statements in connection with those visa applications: "Upon the requirement of the Project of the Residential Building of the Permanent Mission of the People's Republic of China to the United Nations, technicians and workers of your company are hereby invited to come to New York as soon as possible for the Interior

Finish Job that has been assigned to you. According to the schedule of the above mentioned project, the technicians and workers are expected to stay in New York for around one year. Attached is the name list of 36 persons to be invited.”

2. A letter dated May 13, 2010, was provided to the United States Department of State in support of multiple visa applications which contained the following false and fraudulent statements in connection with those visa applications: “At the invitation of the Permanent Mission of the People’s Republic of China to the UN, 17 technicians and workers from the China Rilun Construction(Group) will go to the United States for the interior finish job of the Chinese Mission.” In addition, the May 13, 2010 letter enclosed a second letter dated November 4, 2009, which contained the following false and fraudulent statements: “Upon the requirement of the Project of the Residential Building of the Permanent Mission of the People’s Republic of China to the United Nations, technicians and workers of your company are hereby invited to come to New York as soon as possible for the Interior Finish Job that has been assigned to you. According to the schedule of the above mentioned project, the technicians and workers are expected to stay in New York for around one year. Attached is the name list of 20 persons being invited.”
3. A letter dated September 13, 2010, was provided to the United States Department of State in support of multiple visa applications which contained the following false and fraudulent statements in connection with those visa applications: “Upon the requirement of the Project of the Residential Building of the Permanent Mission of the People’s Republic of China to the United Nations, the workers of your company are hereby invited to come to New York as soon as possible for the construction Job that has been assigned to you. See attachment for the name list of the 29 workers that are invited. According to the schedule of the above mentioned project, the workers are expected to stay in New York for around one year.”
4. A letter dated December 13, 2012, was provided to the United States Department of State in support of multiple visa applications which contained the following false and fraudulent statements in connection with those visa applications: “Requested for the construction of the office building renovation project of Permanent Mission of the People’s Republic of China to the United Nations, the managers and workers of your company are hereby invited to the United States of America to undertake the job of preparation work and then the construction work.” The letter identified 14 individuals.

5. A letter dated February 4, 2013, was provided to the United States Department of State in support of multiple visa applications which contained the following false and fraudulent statements in connection with those visa applications: “At the invitation of the Chinese Permanent Mission at UN, [name omitted] and other 11 members are going for the construction work from February 2013 to February 2015 on the internal engineering projects of the apartment building of the Chinese Mission at UN.” The letter attached a list identifying 12 individuals.
6. A letter dated March 27, 2013, was provided to the United States Department of State in support of a visa application which contained the following false and fraudulent statements in connection with the visa application: “At the invitation of the Chinese Permanent Mission in the UN, [name omitted] will participate in, from March 2013 to March 2015, the construction work of the internal engineering projects of the apartment building of the Chinese Mission at UN.” An attachment to the letter identified one individual.
7. A letter dated March 25, 2014, was provided to the United States Department of State in support of multiple visa applications which contained the following false and fraudulent statements in connection with those visa applications: “[M]y office hopes your consulate can issue A2 visas to [name omitted] and other seventeen people (list attached) of Dandong Riling Construction Co., Ltd. They are invited by the People’s Republic of China Mission to the United Nations and they will go to New York to carry on the transformation project of the office buildings on April 5th from Beijing.” The letter attached a list identifying 18 individuals.
8. A letter dated April 24, 2015, was provided to the United States Department of State in support of multiple visa applications which contained the following false and fraudulent statements in connection with those visa applications: “Requested for the construction of our building renovation project of Permanent Mission of the People’s Republic of China to the United Nations, the engineers and workers of your company are hereby invited to the United States of America to undertake the job of preparation work and then the construction work. According to the schedule of the work, they will depart on April 2015 and stay in the United States of America for about three years.” The letter attached a list identifying 19 individuals.
9. A letter dated May 5, 2015, was provided to the United States Department of State in support of multiple visa applications which contained the following false and fraudulent statements in connection with those visa applications: “[M]y office hopes your consulate can issue A2 visas to

[name omitted] and other Seventeen people (list attached) of Dandong Riling Construction Co., Ltd. They are invited by Permanent Mission of the People's Republic of China to the United Nations and they will go to New York to carry on the transformation project on May 20th from Beijing." The letter attached a list identifying 18 individuals.

10. A letter dated August 24, 2015, was provided to the United States Department of State in support of multiple visa applications which contained the following false and fraudulent statements in connection with those visa applications: "[M]y office hopes your consulate can issue A2 visas to [name omitted] and other thirteen people (list attached) of Dandong Riling Construction Co., Ltd. They are invited by the People's Republic of China Mission to the United Nations and they will go to New York to carry on the transformation project of the office buildings on September 20th from Beijing." The letter attached a list identifying 14 individuals.

The government reserves the right to amend this bill of particulars. See Fed. R. Crim. P. 7(f) ("The government may amend a bill of particulars subject to such conditions as justice requires."); United States v. Salazar, 485 F.2d 1272, 1277 (2d Cir. 1973) (affirming district court's acceptance of supplemental bill of particulars). Specifically, the government notes that in its October 24, 2017 discovery letter it advised that in response to defendant Dan Zhong's request, the government will be producing additional visa applications to the defendant. (See Dkt. No. 78). In connection with the production of those additional records the government may identify additional false and fraudulent statements made in furtherance of the visa fraud conspiracy charged in the indictment and, if so, will seek to amend this bill of particulars to supplement it with additional false statements.

Respectfully submitted,

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